

Jeffries vs. Centre Life Ins. Co., et al.
October 28, 2003

MICHAEL McCLELLAN, M.D.
VOLUME II

<p>1 APPEARANCES:</p> <p>2 On behalf of the Plaintiff: 3 Michael A. Roberts, Esq. 4 Graydon, Head & Ritchey 5 1900 Fifth Third Center 6 511 Walnut Street 7 Cincinnati, Ohio 45202-3167 8 Phone: (513) 621-6464</p> <p>9 On behalf of the Defendants: 10 William R. Ellis, Esq. 11 Wood & Lamping 12 2300 Convergys Center 13 600 Vine Street 14 Cincinnati, Ohio 45202-2409 15 Phone: (513) 832-6000</p> <p>16 - - -</p> <p>17 STIPULATIONS</p> <p>18 It is stipulated by and between counsel for the 19 respective parties that the deposition of MICHAEL 20 MCCLELLAN, MD, a witness herein, called by the 21 defendants for cross-examination, pursuant to the 22 Federal Rules of Civil Procedure, may be taken at 23 this time by the notary; that said deposition may be 24 reduced to writing in stenotype by the notary, whose notes may then be transcribed out of the presence of the witness; and that proof of the official character and qualifications of the notary is expressly waived.</p>	<p>Page 88</p> <p>1 MR. ELLIS: Doctor, you consider yourself 2 still under oath, don't you? 3 THE WITNESS: I certainly do. 4 MICHAEL McCLELLAN, MD 5 being by me previously cautioned and sworn, deposes 6 and says as follows:</p> <p>7 CROSS-EXAMINATION (CONTINUED)</p> <p>8 BY MR. ELLIS:</p> <p>9 Q. When we left off last time, Dr. McClellan, 10 we were discussing a number of different potential 11 labels to put on Mr. Jeffries' difficulties, which 12 included myalgic encephalomyelitis, chronic fatigue 13 syndrome, wasn't there a third, autoimmune 14 cerebritis?</p> <p>15 MR. ROBERTS: Objection. Go ahead.</p> <p>16 A. I would not call it an autoimmune 17 cerebritis. I think he has an autoimmune-mediated 18 process, which contributes to his muscle pain, 19 weakness, cognitive dysfunctions, and that's on the 20 basis of an immune reaction to the hepatitis 21 vaccine.</p> <p>22 And different specialists, different 23 physicians, have called it or used -- called it 24 different things, used different terminologies, but</p>
<p>1 INDEX</p> <p>2 Cross-Examination (Continued) by: Page</p> <p>3 MR. Ellis 90</p> <p>4 - - -</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p>Page 89</p> <p>1 that's the underlying process.</p> <p>2 Q. This is the working hypothesis that you 3 currently have?</p> <p>4 MR. ROBERTS: Objection.</p> <p>5 A. That's my feeling as to his diagnosis.</p> <p>6 Q. You recall Dr. Hyde, for example, 7 suggested that he had a parkinsonian appearance, and 8 movement, and so forth?</p> <p>9 MR. ROBERTS: Objection.</p> <p>10 Q. Do you recall that?</p> <p>11 MR. ROBERTS: Objection.</p> <p>12 A. I believe he said that he had some 13 parkinsonian features, but I would have to look at 14 his note to see his exact wording.</p> <p>15 Q. All right. In your records of March of 16 2001 you received a referral letter sent to Dr. Hyde 17 by a Dr. Fernandez from Canada?</p> <p>18 A. I'm sorry, what was the date on that?</p> <p>19 Q. You were carbon copied on the letter that 20 is dated March 14th. It appears you received it 21 March the 19th perhaps of 2001.</p> <p>22 A. Yes, I have it.</p> <p>23 Q. Okay. In the letter, if you look to the 24 second page, in summary the good doctor found that</p>